

SEC. 1112. TREATMENT OF EMPLOYEE TIPS.

(a) EMPLOYEE CASH TIPS.—

(1) REPORTING REQUIREMENT NOT CONSIDERED.—
Subpara-
graph (A) of section 45B(b)(1) (relating to excess employer
social
security tax) is amended by inserting "(without
regard to
whether such tips are reported under section 6053)"
after "sec-
tion 3121(a)".

(2) TAXES PAID.—Subsection (d) of section 13443 of
the 26 USC 38 note.
Revenue Reconciliation Act of 1993 is amended by
inserting

"with respect to services performed before, on, or
after such
date" after "1993".

(3) EFFECTIVE DATE.—The amendments made by this
sub- 26 use 45B note,
section shall take effect as if included in the
amendments
made by, and the provisions of, section 13443 of the
Revenue
Reconciliation Act of 1993.

(b) TIPS FOR EMPLOYEES DELIVERING FOOD OR
BEVERAGES.—

(1) IN GENERAL.—Paragraph (2) of section
45B(b) is
amended to read as follows:

"(2) ONLY TIPS RECEIVED FOR FOOD OR
BEVERAGES TAKEN
INTO ACCOUNT.—In applying paragraph
(1), there shall be taken
into account only tips received from
customers in connection
with the providing, delivering, or serving
of food or beverages
for consumption if the tipping of
employees delivering or serving
food or beverages by customers is
customary."

(2) EFFECTIVE DATE.—The amendment made by
paragraph 26 use 45B note.

(1) shall apply to tips received for services
performed after
December 31, 1996.

26 USC
280A SEC. 1113. TREATMENT OF STORAGE OF PRODUCT
SAMPLES.

(3) IN GENERAL.—Paragraph (2) of section
280A(c) is amended
by striking "inventory" and inserting "inventory or
product sam-
ples".

(4) EFFECTIVE DATE.—The amendment made by
subsection (a)
shall apply to taxable years beginning after December
31, 1995.

SEC. 1114. TREATMENT OF CERTAIN CHARITABLE RISK POOLS.

(a) GENERAL RULE.—Section 501 (relating to exemption
from
tax on corporations, certain trusts, etc.) is amended by
redesignating
subsection (n) as subsection (o) and by inserting after
subsection

(m) the following new subsection:

"(n) CHARITABLE RISK POOLS. —

"(1) IN GENERAL. — For purposes of this title —

"(A) a qualified charitable risk pool shall be treated as an organization organized and operated exclusively for charitable purposes, and

"(B) subsection (m) shall not apply to a qualified charitable risk pool.

"(2) QUALIFIED CHARITABLE RISK POOL. —

For purposes of this subsection, the term "qualified charitable risk pool" means any organization —

"(A) which is organized and operated solely to pool insurable risks of its members (other than risks related to medical malpractice) and to provide information to its members with respect to loss control and risk management.

"(B) which is comprised solely of members that are organizations described in subsection (c)(3) and exempt from tax under subsection (a), and